

## State Water Resources Control Board

September 7, 2018

(Via email and Certified Mail)

**CERTIFIED MAIL**

**NO. 7018 0680 0000 1017 5154**

Mr. Gregory Wain  
General Manager  
Aviation Contract Services, Inc.  
dba Atlantic Aviation  
2828 Donald Douglas Loop North  
Santa Monica, California 90405  
[gregory.wain@atlanticaviation.com](mailto:gregory.wain@atlanticaviation.com)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT ALANTIC AVIATION, 2828 DONALD DOUGLAS LOOP NORTH,  
SANTA MONICA**

Dear Mr. Wain:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on August 15, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Maintain Primary Containment</b> – The UST failed tightness testing on February 26, 2014, January 27, 2015, January 26, 2016, and again on January 18, 2017.	Tank #1	February 26, 2014	Ongoing	H&SC 25291(a)(1); 23 CCR 2631(a), 2712(j)
2	<b>Failure to Maintain Primary Containment</b> – The UST failed tightness testing on January 18, 2017.	Tank #2	January 18, 2017	Ongoing	H&SC 25291(a)(1); 23 CCR 2631(a), 2712(j)
3	<b>Failure to Maintain Primary Containment</b> – The UST and/or piping failed tightness testing on February 26, 2014, January 27, 2015, January 26, 2016, and again on January 26, 2018.	Tank #3	February 26, 2014	Ongoing	H&SC 25291(a)(1); 23 CCR 2631(a), 2712(j)

No.	Violation	Tank	Start Date	Stop Date	Regulation
3	<b>Failure to Maintain Cathodic Protection</b> – The UST failed cathodic protection testing on August 28, 2012 and again on April 20, 2018.	Tank #1, #2, and #3	August 28, 2012	Ongoing	23 CCR 2635(a)(2)
4	<b>Failure to Maintain Financial Responsibility</b> – In CERS, the financial responsibility mechanism is identified as a private insurance policy; however, the policy expired on March 1, 2018.	All	August 15, 018	Ongoing	H&SC 28292.2; 23 CCR 2711(a)(11)
5	<b>Failure to Maintain Spill Containment Requirement</b> – The UST is not equipped with a spill containment device.	Tank #1, #2, and #3	August 15, 2018	Ongoing	H&SC 25284.2; 23 CCR 2635(b)(1)
6	<b>Failure to Monitor Product Piping</b> – The sensor located inside the under dispenser containment was incorrectly positioned at an angle preventing a leak from being detected at the earliest opportunity. Corrected at the time of inspection.	Tank #4	August 15, 2018	August 15, 2018	23 CCR 2630(d)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Santa Monica Fire Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Mr. Will Speth  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
801 K Street, Suite 2300  
Sacramento, California 95814  
[will.speth@waterboards.ca.gov](mailto:will.speth@waterboards.ca.gov)

**Local CUPA**

Ms. Monica Hanley  
Environmental Compliance Specialist  
Santa Monica Fire Department  
333 Olympic Drive, 2nd Floor  
Santa Monica, California 90401  
[monica.hanley@smgov.net](mailto:monica.hanley@smgov.net)

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: *(via email only)*

Ms. Monica Hanley  
Environmental Compliance Specialist  
Santa Monica Fire Department  
[monica.hanley@smgov.net](mailto:monica.hanley@smgov.net)

Mr. Carlos Tellez  
Regional Risk Manager  
Atlantic Aviation  
[carlos.tellez@atlanticaviation.com](mailto:carlos.tellez@atlanticaviation.com)

Mr. Omar Franco  
Operations Manager  
Atlantic Aviation  
[omar.franco@atlanticaviation.com](mailto:omar.franco@atlanticaviation.com)